

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:19 CR 207
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
JOHN WEAVER, JR.,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Jonathan D. Greenberg, regarding the change of plea hearing of John Weaver, Jr., which was referred to the Magistrate Judge with the consent of the parties.

On April 2, 2019, the government filed a multi-defendant 26 count Indictment, charging Defendant Weaver, in counts 1, 7, 14, 15, 17, 20, 21, 25, and 26 with Conspiracy to Distribute Cocaine and Cocaine Base (Crack), Use of a Communication Facility in Furtherance of a Drug Trafficking Crime, Possession with the Intent to Distribute Cocaine, and Possession with the Intent to Distribute Cocaine Base, (Crack), in violation of 21 U.S.C. §§ 846, 843(b), 841(a)(1) and (b)(1)(B)(ii)(II) and (b)(1)(B)(iii), respectively. Defendant was arraigned on April 10, 2019, and entered a plea of not guilty to counts 1, 7, 14, 15, 17, 20, 21, 25, and 26 of the Indictment, before Magistrate Judge Limbert. On January 9, 2020 Magistrate Judge Greenberg received Defendant Weaver's plea of guilty to count 1 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Weaver is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant John Weaver, Jr. is adjudged guilty to count 1 of the Indictment, in violation of 21 U.S.C. 846. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on April 28, 2020, at 2:00 p.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

February 4, 2020